

United States Senate

WASHINGTON, DC 20510

March 18, 2022

The Honorable Kristen Clarke
Assistant Attorney General
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Dear Assistant Attorney General Clarke:

On September 14, 2021, the Department of Justice announced a new investigation into the conditions of confinement in Georgia's prisons, focusing specifically on whether the State of Georgia is providing prisoners with "reasonable protection from physical harm at the hands of other prisoners."¹ At the six-month anniversary of the Department's announcement, I write to request an update from the Civil Rights Division on the status of the Department's investigation, and in particular, when it expects to issue findings and whether the scope of the investigation has changed.

According to a national study by the Department of Justice Bureau of Justice Statistics pursuant to the Death in Custody Reporting Act, from 2001 to 2019—the last year that this data is available—Georgia ranked sixth in the total number of prisoner deaths, third in the total number of prisoner homicides, and sixth in the total number of prisoner suicides.² At least 457 prisoners in the custody of the Georgia Department of Corrections died in the 20 months preceding the Department's announcement of its investigation. In 2020, there were 57 homicides in Georgia prisons, triple the total from 2018.³

Since the Department announced its investigation, I have reviewed reports of violence in Georgia prisons with great concern. There was a stabbing at Coastal State Prison⁴ on the very day of the Department's announcement. Four officers at Rutledge State Prison⁵ were indicted in connection with their alleged attack on a handcuffed prisoner the following week. On October 16, 2021, an incarcerated person at Johnson State Prison died by homicide.⁶ On November 20,

¹ <https://www.justice.gov/opa/pr/justice-department-announces-investigation-conditions-georgia-prisons>.

² [https://bjs.ojp.gov/library/publications/mortality-state-and-federal-prisons-2001-2019-statistical-tables#:~:text=The%20number%20of%20federal%20prisoners,259%20per%20100%2C000%20federal%20prisoner s\).](https://bjs.ojp.gov/library/publications/mortality-state-and-federal-prisons-2001-2019-statistical-tables#:~:text=The%20number%20of%20federal%20prisoners,259%20per%20100%2C000%20federal%20prisoner s).)

³ <https://www.ajc.com/news/crime/records-reveal-53-georgia-prison-inmates-slain/KZ3JV4MT3FH4HLBLZQIA7AFYGA/>.

⁴ <https://fox28media.com/news/local/investigation-underway-after-inmate-was-stabbed-at-coastal-state-prison>.

⁵ <https://www.wjcl.com/article/georgia-state-prison-guard-arrests/38014734#>.

⁶ <https://www.ajc.com/news/crime/records-reveal-53-georgia-prison-inmates-slain/KZ3JV4MT3FH4HLBLZQIA7AFYGA/>.

2021, a 61-year-old prisoner at Phillips State Prison died following head trauma.⁷ On December 27, 2021, a 27-year-old incarcerated person was found dead in the common area of the Terrell County Prison⁸ just before he was slated to be released. There was a stabbing at Hays State Prison⁹ in January 2022, and video footage of a violent fight at Ware State Prison released in February 2022 showing no response or intervention from staff.¹⁰ Of course, these are only a fraction of the incidents of violence in Georgia's prisons, jeopardizing the safety and security of staff and incarcerated people alike.

I have received reports of other inhumane conditions in Georgia's prisons. At Lee Arrendale State Prison, for example, postpartum women are reportedly shackled, denied basic medical care, and subjected to extended periods of solitary confinement in their immediate postpartum period. One postpartum prisoner at Lee Arrendale, suffering from excruciating pain in the aftermath of childbirth, had requested medical attention three times over several days. After care was repeatedly denied, she used toenail clippers to cut out infected vaginal sutures. A lawsuit¹¹ filed on September 10, 2021 concerning conditions at Georgia State Prison—the site of at least 12 suicides between 2019 and 2021—alleges that prisoners with severe mental illness are held in segregation cells for years that are infested with vermin, lack proper plumbing and sanitation, and are deprived of adequate medical care in violation of the Eighth Amendment to the United States Constitution.

Of course, the challenges facing Georgia's prisons are not new. In August 1969, The Atlanta Constitution wrote that “[e]vidence of brutality in the Georgia prison system continues to appear. It is no longer a surprise. The surprising thing is that state and county officials appear to do so little to bring genuine penal reform to the Georgia prison system . . . giving [Georgia] the well-earned reputation of one of the worst prison systems in the nation.”¹²

I applaud the Department's investigation as an important step towards redressing violations of basic human dignity in Georgia's prisons. We have a moral and legal responsibility to ensure that federal, state, and local prison and jail conditions pass Constitutional muster. This work is urgent. I will continue to monitor the Department's efforts to defend the Constitutional rights of all persons in the United States—whether they are incarcerated or not—and drive resources and attention to the Department's critical work towards these ends.

⁷ *Ibid.*

⁸ <https://wfxl.com/news/local/one-family-wants-answers-after-their-loved-one-was-found-dead-in-the-terrell-county-prison>.

⁹ <https://coosavalleynews.com/2022/02/hays-prison-inmate-charged-after-stabbing-incident/>.

¹⁰ <https://www.thegeorgiavirtue.com/georgia-news/gdc-is-silent-once-again-on-ware-state-prison-violence-stabbings/>.

¹¹ <https://www.usnews.com/news/best-states/georgia/articles/2021-09-13/lawsuit-solitary-confinement-in-georgia-prison-overly-harsh>.

¹² *Prisons (Same Old Story)*, The Atlanta Constitution (Aug. 14, 1969).

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Should you have any questions, please contact Sara Schaumburg, General Counsel in my office, at (202) 228-6199 or Sara_Schaumburg@ossoff.senate.gov. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Ossoff", written over a horizontal line.

Jon Ossoff
United States Senator